

Recommendation 13

It is recommended that the DCI appoint an action group to define precisely which intelligence requires TOP SECRET classification, both within and outside the compartmentation systems, and provide specific detailed guidance with the intent of reserving TOP SECRET classification for information of truly extraordinary sensitivity and imposing strict accountability and rigid physical security upon those items determined to be TOP SECRET, both collateral and SCI.

DISCUSSION

1. The working group reviewed the classification guides issued by the four Directorates in compliance with Executive Order 12065. The review focused specifically on those subject areas for which TOP SECRET classification was mandated. Two general conclusions resulted from this review:
 - a. A good number of the items simply did not meet the "exceptionally grave damage" criterion used for the definition of TOP SECRET.
 - b. A number of items which did meet the criterion were expressed in such general terms that adherence to them would result certainly in overuse of the TOP SECRET classification.
2. Based on this review and its own independent and strict interpretation of criteria, the group identified six subject areas with a total of 20 specific items which would merit TOP SECRET classification. This compares with seven subject areas and some 100 specific items in CIA's various classification guides.

RECOMMENDATIONS

3. The working group recommends:
 - a. That the attached statement on "Criteria for TOP SECRET Classification" be formally coordinated within the Agency and be adopted as a uniform CIA guide for TOP SECRET classification.

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- b. That after CIA acceptance the statement be forwarded to the Chairman, NFIB Working Group on Compartmentation to staff its review and acceptance as a uniform Intelligence Community guide for TOP SECRET classification.

Criteria for TOP SECRET Classification

I. DEFINITION

Executive Order 12065 uses the following definition to justify TOP SECRET classification:

"TOP SECRET" shall be applied only to information the unauthorized disclosure of which reasonably could be expected to cause exceptionally grave damage to the national security.

In compliance with the injunction to use the least restrictive designations possible, TOP SECRET classification within CIA will be carefully restricted to the subject areas listed below.

II. ADMINISTRATION

A. Documents providing cumulative data which would reveal:

1.--a complete or substantially complete listing of the names and official titles of CIA employees.

2.--the entire CIA organizational structure, and the numbers, responsibilities, and locations of components and installations.

3.--the full range of CIA operational activities.

4.--CIA annual reports, budgets, and statements of financial condition.

III. SOURCES AND METHODS

A. Information revealing that the US has decrypted material transmitted in high grade cipher systems which, if compromised, could deny the US information critical to its national security.

B. Information about covert US foreign intelligence activities or collection programs which, if compromised, could lead to grave disruptions of diplomatic relations or the direct loss of life of US personnel.

C. Information about major US technical collection systems which would:

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1.--provide knowledge of their vulnerability to counteraction.

2.--provide knowledge about that specific technology of a system which is unique to the US.

3.--reveal the existence of a collection program which provides significant intelligence data which could not be attributed to other sources.

4.--reveal data about newly developing systems which will provide unique collection capabilities.

IV. MILITARY AFFAIRS

A. Information whose compromise would reveal the details of US national defense plans, weapons systems, and military command, control and communications systems which are themselves classified TOP SECRET.

B. Information regarding the imminence of armed hostilities against the US and related US contingency plans or counteractions.

C. Information about US programs for safeguarding nuclear materials or facilities which are classified TOP SECRET and information on foreign nuclear programs which, if compromised, would identify our most sensitive intelligence sources and methods, as specified in Section III.

V. POLITICAL AFFAIRS

A. Information whose compromise would reveal the nature of sensitive foreign policy documents or contingency and planning papers which are themselves classified TOP SECRET.

VI. PRODUCTION

A. CIA reporting and analyses, or formally coordinated National Intelligence Estimates or assessments which provide information about:

1.--those sensitive aspects of intelligence sources and methods specified in Section III.

2.--comprehensive assessments of the capabilities, intentions and activities of foreign military forces representing a potential strategic threat to the US and its allies.

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3.--US foreign policy or national defense programs as specified in Sections IV and V.

4.--Policy initiatives which could involve the commitment of US military forces.

VII. FOREIGN GOVERNMENTS

A. Information provided the US by any element of a foreign government or international organization which has been classified TOP SECRET or its equivalent by the foreign government.

B. Information about joint intelligence activities with foreign governments which are mutually agreed to be classified TOP SECRET.

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MEMORANDUM FOR: Chief, NFIB Working Group on Compartmentation

FROM : Deputy Director for Administration

SUBJECT : Limitation of TOP SECRET Classification

REFERENCE : Working Group Recommendation 13

ENCLOSURE "B"

1. This Directorate strongly endorses the referenced recommendation that TOP SECRET classification be reserved for information of truly extraordinary national security sensitivity. The criteria for TOP SECRET classification attached thereto appear eminently suitable to achieve the objective of so limiting this level of classification and thus to help carry out the intent and spirit of Executive Order 12065.

2. In order to conform as closely as possible with the overall classification requirements contained in Section 1-3 of the Order as detailed for Agency use in Paragraph 9 ("CENTRAL INTELLIGENCE AGENCY CLASSIFICATION CRITERIA") of [REDACTED] ("AGENCY INFORMATION SECURITY PROGRAM HANDBOOK"), it is suggested that the criteria recommended by the Working Group be somewhat revised. Such a revision is set forth in Attachment 1 to this memorandum.

3. Proper application of these new criteria will require revision of certain items in the Directorate of Administration Classification Guide. The proposed revisions are specified in Attachment 2, herewith.

4. It is also planned to revise the "AGENCY INFORMATION SECURITY HANDBOOK" [REDACTED] cited above in order to incorporate the recommended limitations as regards TOP SECRET classification. These will be published in the Federal Register together with other provisions of the handbook now being prepared for such publication.

DON I. WORTMAN
Deputy Director
for

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ATTACHMENT "1"

Suggested Revision of Criteria for TOP SECRET Classification

a. Military Affairs.

(1) Information which could reveal the details of U.S. national defense plans, weapons systems, and military command, control, and communications systems, or operations, which are themselves classified TOP SECRET.

(2) Information regarding the imminence of armed hostilities against the U.S., or U.S. allies, and related contingency plans or counteractions.

b. Foreign Governments.

(1) Information provided the U.S. by any element of a foreign government or international organization and which has been classified TOP SECRET, or the equivalent, by the foreign government or organization.

(2) Information about intelligence, military or diplomatic activities proposed or undertaken jointly by the U.S. and a foreign government or governments, and classified TOP SECRET by mutual or joint agreement therewith.

c. Intelligence.

(1) Information which, if compromised, could deny the U.S. intelligence critical to its national security by revealing that the U.S. has decrypted material transmitted in high-grade foreign cipher systems.

(2) Information about major U.S. technical intelligence collection programs on systems which, if compromised, could reveal such

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a system's vulnerability to counteraction, the specific technology of a system unique to the U.S., the existence of a collection program providing significant intelligence which could not be attributed to other sources, or the development of new systems in order to provide unique collection capabilities.

(3) Agency reporting and analyses, or formally coordinated National Intelligence Estimates or assessments which provide information about the sensitive aspects of intelligence sources and methods specified in (1) or (2) above; which could disclose comprehensive assessments of the capabilities, intentions and activities of foreign military forces representing a potential threat to the U.S. or its allies; or which could otherwise compromise U.S. national defense or foreign policy programs as specified under items a above or d below.

(4) Information which could reveal a complete or substantially complete listing of Agency employees' names and official titles; the entire organizational structure of the Agency or major components thereof; the numbers, responsibilities and locations of components thereof; the numbers, responsibilities and locations of components and installations; the full range of Agency operational activities; or annual reports, budgets and statements of financial condition applying to the Agency as a whole or to its major components.

d. Foreign Relations and Activities.

(1) Information which could reveal the content or nature of sensitive foreign policy documents or contingency and planning papers which are themselves classified TOP SECRET, including those so classified under item b above.

(2) Information about U.S. activities abroad which, if compromised, could lead to major disruptions of diplomatic relations or directly threaten the lives of U.S. personnel.

(3) Information concerning foreign policy initiatives which could involve the commitment of U.S. military combat forces.

e. Nuclear Materials and Facilities.

(1) Information about U.S. programs for safeguarding nuclear materials and facilities which are classified TOP SECRET.

(2) Information on foreign nuclear programs which, if compromised, could identify the most sensitive U.S. intelligence sources and methods as specified under item c above.

Attachment 2

PROPOSED REVISIONS TO DIRECTORATE OF ADMINISTRATION
CLASSIFICATION GUIDE

1. The following revisions are proposed in order to bring the Directorate of Administration classification guide into better conformity with new TOP SECRET classification criteria.

-- On page 2 of the Guide, add a new item 1.1 (now marked "RESERVED") to read "Data concerning the imminence of armed hostilities against the United States or its allies, or involving related contingency plans or counteractions (U)." Classification level TOP SECRET, duration "6 years (review)."

-- On the same page, add a new item 3.1 (now marked "RESERVED") to read "Details of United States defense plans, weapons systems, and military command, control and communications systems, or operations, which are themselves classified TOP SECRET (U)." Classification level TOP SECRET, duration "same as marked on source document(s)."

-- On page 3, add a new item 1.1 (now marked "RESERVED") to read "Information classified TOP SECRET or the equivalent by a foreign government or organization or governments, and information so classified by joint or mutual agreements between the United States and any foreign government(s). (U)" Classification level TOP SECRET, duration "30 years or any lesser period specified by joint or mutual agreement (review)."

(NOTE: Alternatively, the present level and duration statements on page 3 may be retained.)

-- On page 13, change the classification level for item 2.16 to SECRET and change the justification statement to read ". . . serious (vice ". . . exceptionally grave") damage to national security."

-- On page 16, amend item 2.25 to read "Master listings of safe or lock combinations, when coupled with information identifying the locks or locations of the safes or other devices to which the locks are affixed, when such a listing could reveal the entire organizational structure of the Agency, major components thereof, or the numbers and locations of Agency components and installations (U)." Classification level TOP SECRET, duration "6 years (review)."

-- On same page, add a new item 2.25a to read "Other safe and lock combinations when coupled with information identifying the locks or locations of the devices to which affixed.(U)" Classification level SECRET, duration "until combinations are changed."

-- On page 27, change item 10.1 to read "cryptographic information including cryptographic information including cryptographic keying materials and the details of cryptographic systems, the vulnerabilities thereof and any other information or materials concerning cryptographic logic or keying, such as photoplates, screen masks, chips, etc., which could if

compromised permit unauthorized decryption, or could otherwise render ineffective any U.S. cipher system used or being developed for use in the electronic or other encrypted transmission of TOP SECRET or other highly sensitive national security classified information. (U)" Classification level TOP SECRET, duration "20 years (review)."

-- On the same page, add a new item 10.2 to read "Other cryptographic information, keying materials, etc., involving cipher systems used or being developed for use only in the electronic or other encrypted transmission of information which is neither classified TOP SECRET nor otherwise requires the highest level of protection against unauthorized disclosure (U)." Classification level SECRET, duration "20 years (review)."

-- On page 35, change the classification level for item 2.1 to SECRET and change the justification statement to read ". . . serious (vice ". . . exceptionally grave") damage to the national security." (NOTE. This item specifies that the information to be protected is already categorized as "sensitive compartmented . . . information;" the SCI designation should suffice to provide the required degree of protection without any need also to assign a TOP SECRET classification level.)

-- On page 37, add a new item 1.1 (now marked "RESERVED") to read "Information about U.S. programs for safeguarding nuclear materials or facilities which are classified TOP SECRET. (U)." Classification level TOP SECRET, duration "20 years (review)."

-- On the same page, add a new item 2.1 (now marked "RESERVED") to read "Information which, if compromised, could identify the most highly sensitive United States intelligence sources and methods including technical collection programs or systems used to acquire data on foreign nuclear programs, activities, facilities, capabilities or intentions. (U)." Classification level TOP SECRET, duration "20 years (review)."

2. Where not already provided above, statements justifying extension of classification beyond six years will be prepared for the new DA Classification Guide items listed above (i.e., for those to be added on pages 2, 3, 16, 27, and 37 of the Guide) prior to publication of these revisions. The justification statements will use appropriate versions of the language provided in paragraph 3 of the Director's Memorandum to the National Foreign Intelligence Board entitled "Intelligence Community Implementation of Executive Order 12065" and dated 21 December 1978.